



TECH CENTER 1600/2900

JUL 16 2001

RECEIVED

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/614,790	
	Filing Date	July 12, 2000	
	First Named Inventor	Sharon F. Kleyne	
	Group Art Unit	1619	
	Examiner Name	M. Willis	
Total Number of Pages in this Submission	19	Attorney Docket Number	HME/7982.001

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Response <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavit(s)/Declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Part(s)/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an application) <input type="checkbox"/> Drawings <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition To Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below) Request For Continued Examination under 37 CFR §1.114
Remarks:		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm or Individual Name	Howard Eisenberg, Esq. 601 SW Second Avenue, Suite 1600 Portland, OR 97204		
Signature			
Date	July 9, 2001		
CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date.			
Type or print name	Howard Eisenberg		
Signature		Date	July 9, 2001



FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

Complete if Known

Application Number 09/614,790
Filing Date July 12, 2000
First Named Inventor Sharon Kleyne
Examiner Name M. Willis
Group/ Art Unit 1619
Attorney Docket No. HME/7982.001

TOTAL AMOUNT OF PAYMENT \$355

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge the indicated fees and credit any over payments to:

Deposit Account Number 50-1773

Deposit Account Name Howard Eisenberg

☒ Charge any additional fee required under 37 CFR 1.16 & 1.17

☒ Applicant claims small entity status. See 37CFR 1.27

2. ☒ Payment Enclosed

☐ Check ☒ Credit Card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) \$0

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
31	-43** = 0	9	0
Indep. Claims	5 - 5** = 0	40	0
Multiple Dependent			0

*or number of previously paid, if greater. For reissues, see below.

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	**Reissue independent claims over original patent
110	18	210	9	*Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$0

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge-late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1840*	113	1840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Statement	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 C.F.R. 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 C.F.R. 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	355
169	900	169	900	Request for Expedited Examination of a Design Application	

Other (specify)

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) \$355

SUBMITTED BY

Complete (if applicable)

Name (print type) Howard Eisenberg, Esq.

Registration No. 36,789

Telephone (503) 227-5631

Signature

Date

July 9, 2001

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Atty Doc. No. HME/7982000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION EXAMINING OPERATIONS

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In re the Application of Sharon F. Kleyne : Group Art Unit: 1619
Serial No. 09/614,790 : Examiner: Michael Willis
Filed: July 12, 2000 : Tel. No. (703) 305-1679
For a Patent for : Date: July 9, 2001
METHOD AND KIT FOR MOISTURIZING
THE SURFACE OF THE EYE

W/B
A. Harmon
7/20/01

AMENDMENT UNDER 37 C.F.R. §1.116

Assistant Commissioner for Patents
Box AF
Washington, DC 20231

Dear Sir,

In response to the Office Action dated May 17, 2001, please amend the application as follows.

IN THE CLAIMS

Please amend the claims as follows.

Please cancel all pending claims 1 to 43, without prejudice.

Please add the following claims.

B1
~~44.~~ (New) A method for moisturizing the eye comprising administering to the surface of the eye an aqueous fluid in the form of a mist, wherein the fluid that is administered to the eye is in an amount that is sufficient to increase the volume of the aqueous layer of the